

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROCKWELL AUTOMATION, INC. and
ROCKWELL AUTOMATION
TECHNOLOGIES, INC.,

Plaintiffs,

v.

OPINION AND ORDER

10-cv-718-wmc

WAGO CORPORATION and WAGO
KONTAKTTECHNIK GMBH & CO. KG,

Defendants.

In light of defendants' motion to continue trial (dkt. #435), the court moves the jury trial to October 7, 2013, and revises the following deadlines in the anticipation trial:

ORDER

IT IS ORDERED that:

- a. On or before August 23, 2013, plaintiffs shall submit a rebuttal expert report limited to whether the 1747 Open Controller anticipates the '813 patent claims. In order to meet this deadline, defendants are expected to fully cooperate in scheduling a deposition of Richard Hooper if plaintiffs wish to depose him on his opinion that the 1747 Open Controller anticipates certain claims of the '813 patent.
- b. On or before September 6, 2013, the parties shall provide opposing counsel and the court:
 - i. Motions in limine.
 - ii. Exhibit lists on the court's standard form. Any exhibits not listed shall be excluded from admission into evidence except upon good cause shown.
 - iii. Additional voir dire questions.

- iv. Proposed verdict forms.
 - v. Proposed jury instructions.
 - vi. In addition to electronically filing voir dire questions, verdict forms and jury instructions, please submit to the court an electronic copy of each in Microsoft Word format to wiwd_wmc@wiwd.uscourts.gov.
- c. On or before September 13, 2013, the parties shall provide opposing counsel and the court:
- i. Responses to motions in limine.
 - ii. Objections to exhibits, narrative statements and deposition excerpts or summaries.
 - iii. Responses to opposing parties' voir dire questions, verdict forms, and jury instructions.
- d. Counsel are directed to consult in good faith and reach resolution to the extent possible on the admissibility of exhibits, narrative statements and deposition excerpts or summaries. Each party shall file copies of any remaining, contested exhibits, summaries or excerpts they intend to offer with the court by 12:00 p.m. on Thursday, September 26, 2013.
- e. The final pre-trial conference shall be held on Tuesday, October 1, 2013, at 4:00 p.m.
- f. The trial shall commence Monday, October 7, 2013, at 9:00 a.m. The parties should plan to meet with the court at 8:00 a.m. that morning for any additional matters that need to be brought to the court's attention.

Entered this 26th day of June, 2013.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge